

U.S.S.N. 09/995,031

REMARKS

Thorough examination and careful review of the application by the Examiner is noted and appreciated.

Claims 1-16 are pending in the application. Claims 1-16 stand rejected.

Claim Objections

Claim 6 is objected to for being in improper dependent form.

Claim 6 has been canceled and withdrawn from further consideration by the Examiner.

Claim Rejections Under 35 USC §102

Claims 1-3, 5-12 and 14-16 are rejected under 35 USC §102(e) as being anticipated by Dokumaci et al '843. It is contended that Dokumaci et al discloses a gate structure formed of Rh.

Independent claims 1 and 10 have been amended to more narrowly recite the invention as:

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"a gate formed of a metal comprising Re on top
of the gate dielectric layer".

The Applicants therefore respectfully submit that the newly amended independent claim 1, and similarly amended claim 10, and their dependent claims 2-3, 5, 7-9, 11-12 and 14-16, are not anticipated by Dokumaci et al. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

Claims 1-16 are rejected under 35 USC §102(e) as being anticipated by Lee et al '079. It is contended that Lee et al discloses a gate that is formed of Rh.

Independent claims 1 and 10 have been amended to more narrowly recite the device as equipped with:

"a gate formed of a metal comprising Re on top
of the gate dielectric layer".

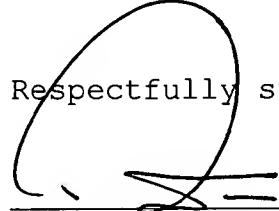
The Applicants respectfully submit that such is not taught or disclosed by Lee et al. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

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Based on the foregoing, the Applicants respectfully submit that all of the pending claims, i.e. claims 1-5 and 7-16, are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

In the event that the present invention is not in a condition for allowance for any other reasons, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,


Randy W. Tung
Reg. No. 31,311
Telephone: (248) 540-4040